

FARAD CONTINUATION SHEET NO:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.590 OF 2006
IN
SECOND APPEAL NO.69 OF 1994
WITH
SECOND APPEAL NO.69 OF 1994

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	: : : : :	Court's or Judge's orders.
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Mr.Suresh M.Sabrad for the appellant.
Mr.I.M.Khairdi for respondent no.2.
Ms.Sharvari Shailendra for Mr.P.S.Dani for
respondent nos.3 and 4.

CORAM: D.B.BHOSALE, J.
DATED: 23RD AUGUST, 2007

P.C.:

. Heard learned counsel for the parties.

2. By this civil application the applicant has prayed for restoration of the second which came to be dismissed for non removal of the office objections vide order dated 5.4.2003. Respondent Nos.1 and 2 have filed the reply opposing restoration of the second appeal. I perused the application and reply affidavit. Considering the reasons stated in the application and more particularly paragraphs 5 and 6, in my opinion, delay in filing this application is sufficiently explained. In the circumstances the civil application is allowed

in terms of prayer clause (b) and (c). It appears that on 3rd April, 2006 the parties were directed to maintain status quo. That order shall remain operative till the disposal of the appeal. Civil application is disposed of. The applicant to remove office objections, if any, within a period of one week from today failing which the second appeal shall stand dismissed for non prosecution without further reference to the court.

(D.B.BHOSALE, J.)